

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2005:

Present

Vote

James S. Burgett, Chairman
Walter C. Zaremba, Vice Chairman
Sheila S. Noll
Kenneth L. Bowman
Thomas G. Shepperd, Jr.

On motion of _____, which carried ____, the following ordinance was adopted:

AN ORDINANCE TO AMEND YORK COUNTY CODE SECTION 7.1-16 RELATIVE TO THE REPAIR OR REMOVAL OF UNSAFE BUILDINGS, WALLS OR STRUCTURES, TO PROVIDE THAT CHARGES ASSESSED RELATIVE TO THE ABATEMENT OR REMOVAL OF NUISANCES MAY CONSTITUTE AN AUTOMATIC LIEN AGAINST THE PROPERTY ON A PARITY WITH LIENS FOR UNPAID LOCAL TAXES.

BE IT ORDAINED by the York County Board of Supervisors this ____ day of _____, 2005, that section 7.1-16 of the York County Code, relative to unsafe buildings, walls or structures; repair and removal, be amended to read and provide as follows:

Sec. 7.1-16. Unsafe buildings, walls or structures; repair, removal.

- (a) Pursuant to the terms of section 15.2-906, Code of Virginia, as it may be amended from time to time, the owners of property in the county shall, at such time or times as the building code official may prescribe, remove, repair or secure any building, wall or any other structure which might endanger the public health or safety of other residents of the county.
- (b) The building code official through his own agents or employees may remove, repair or secure any building, wall or any other structure which may endanger the public health or safety of other residents of the county when the owner and lien

holder of such property, after reasonable notice and a reasonable time to do so, has failed to remove, repair or secure said building, wall or other structure. For the purposes of this section, repair may include maintenance work to the exterior of a building to prevent deterioration of the building or adjacent buildings. For purposes of this section, reasonable notice shall include a written notice (i) mailed by certified or registered mail, return receipt requested, sent to the last known address of the property owner and (ii) published in a newspaper once a week for two successive weeks having general circulation in the county. No action shall be taken to remove, repair or secure any building, wall or other structure for at least thirty days following the later of the return of the receipt or newspaper publication.

- (c) In the event the building code official, through his own agents or employees, removes, repairs or secures any building, wall or any other structure after complying with the notice provisions of this section, the cost or expenses thereof shall be chargeable to and paid by the owner of such property and may be collected by the county as taxes and levies are collected.
- (d) Every charge authorized by this section or by Code of Virginia section 15.2-900 (regarding the abatement or removal of nuisances by localities) with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property, ranking on a parity with liens for unpaid local taxes and enforceable in the manner as provided in Articles 3 (§ 58.1-3940, et. seq.) and 4 (§ 58.1-3965, et seq.) of Chapter 39, of Title 58.1, Code of Virginia. The Board of Supervisors may waive such liens in order to facilitate the sale of the property. Such liens may be waived only as to a purchaser who is unrelated by blood or marriage to the owner and who has no business association with the owner. All such liens shall remain a personal obligation of the owner of the property at the time the liens were imposed.